

AMENDED IN SENATE MAY 1, 2012

SENATE BILL

No. 1077

Introduced by Senator Price

February 14, 2012

An act to amend Sections 125.9, ~~7590.1, 7591.10, 7591.19, 7593.1, 7593.6, 7593.7, 7594.4, 7599.32, 7599.34, 7599.42, 7599.43, 7599.48, 7599.61, and 7599.70~~ of, *and to amend, repeal, and add Sections 7590.1, 7591.10, 7593.1, 7593.6, 7593.7, 7594.4, 7599.32, 7599.34, 7599.42, 7599.43, 7599.48, and 7599.61 of,* and to add Sections 7591.13, 7593.5, and 7593.15 to, the Business and Professions Code, relating to alarm companies.

LEGISLATIVE COUNSEL'S DIGEST

SB 1077, as amended, Price. Alarm companies: limited liability companies.

Existing law, the Beverly-Killea Limited Liability Company Act, authorizes a limited liability company to engage in any lawful business activity, except as specified, but prohibits construing the act to permit a limited liability company to render professional services, as defined. Existing law also authorizes a limited liability company to render services that may be lawfully rendered only pursuant to a license, certificate, or registration authorized by the Business and Professions Code if the provisions of that code authorize a limited liability company to hold that license, certificate, or registration.

Existing law, the Alarm Company Act, provides for the licensure, registration, and regulation of alarm company operators and alarm agents by the Bureau ~~for~~ of Security and Investigative Services within the Department of Consumer Affairs and makes a violation of the act

a crime. Existing law prohibits an alarm company operator from transferring his or her license, as specified.

This bill would, *until January 1, 2016*, authorize the bureau to issue an alarm company operator license to a limited liability company and would make related conforming changes. *The bill would require a limited liability alarm company to maintain specified insurance and to submit specified information and documentation to the bureau. A failure of a limited liability alarm company to comply with these requirements would render the company's license subject to suspension, and would expose the members of the limited liability alarm company to personal liability for damages to 3rd parties, as specified.* Because a violation of the Alarm Company Act by a limited liability company would be a crime, the bill would expand the scope of a crime and would thereby impose a state-mandated local program. ~~The~~

The bill would specify that an alarm company operator license is not assignable, but would authorize an operator who receives consent from the bureau, as specified, to assign the license to another business entity if the owners of the assignor own all of the assignee immediately after the assignment.

Existing law authorizes a board, bureau, or commission within the Department of Consumer Affairs to establish a system for the issuance of a citation to a licensee where the licensee is in violation of the applicable licensing act or regulation adopted thereunder, except with respect to a person regulated under the Alarm Company Act.

This bill would remove the exception for a person regulated under the Alarm Company Act.

Existing law also authorizes a board, bureau, or commission within the Department of Consumer Affairs to establish a similar system for the issuance of an administrative citation to an unlicensed person who is acting in the capacity of a licensee or registrant under the jurisdiction of the board, bureau, or commission. Existing law requires an advertisement by a licensed alarm company soliciting or advertising business to contain his or her name and license number and prohibits a licensee ~~from~~ making any untrue or misleading statements.

This bill would authorize the Chief of the Bureau of Security and Investigative Services to issue a citation against any person who is acting in the capacity of a licensee, registrant, permitholder, or certificate holder under the alarm company jurisdiction of the bureau without a license, registration, permit, or certificate and against any person who advertises for the purpose of soliciting business as an alarm company

operator without a license, as specified. The bill would make other related changes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 125.9 of the Business and Professions
2 Code is amended to read:

3 125.9. (a) Except with respect to persons regulated under
4 Chapter 11 (commencing with Section 7500), any board, bureau,
5 or commission within the department, the board created by the
6 Chiropractic Initiative Act, and the Osteopathic Medical Board of
7 California, may establish, by regulation, a system for the issuance
8 to a licensee of a citation which may contain an order of abatement
9 or an order to pay an administrative fine assessed by the board,
10 bureau, or commission where the licensee is in violation of the
11 applicable licensing act or any regulation adopted pursuant thereto.

12 (b) The system shall contain the following provisions:

13 (1) Citations shall be in writing and shall describe with
14 particularity the nature of the violation, including specific reference
15 to the provision of law determined to have been violated.

16 (2) Whenever appropriate, the citation shall contain an order of
17 abatement fixing a reasonable time for abatement of the violation.

18 (3) In no event shall the administrative fine assessed by the
19 board, bureau, or commission exceed five thousand dollars (\$5,000)
20 for each inspection or each investigation made with respect to the
21 violation, or five thousand dollars (\$5,000) for each violation or
22 count if the violation involves fraudulent billing submitted to an
23 insurance company, the Medi-Cal program, or Medicare. In
24 assessing a fine, the board, bureau, or commission shall give due
25 consideration to the appropriateness of the amount of the fine with
26 respect to factors such as the gravity of the violation, the good
27 faith of the licensee, and the history of previous violations.

(4) A citation or fine assessment issued pursuant to a citation shall inform the licensee that if he or she desires a hearing to contest the finding of a violation, that hearing shall be requested by written notice to the board, bureau, or commission within 30 days of the date of issuance of the citation or assessment. If a hearing is not requested pursuant to this section, payment of any fine shall not constitute an admission of the violation charged. Hearings shall be held pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(5) Failure of a licensee to pay a fine within 30 days of the date of assessment, unless the citation is being appealed, may result in disciplinary action being taken by the board, bureau, or commission. Where a citation is not contested and a fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the license. A license shall not be renewed without payment of the renewal fee and fine.

(c) The system may contain the following provisions:

(1) A citation may be issued without the assessment of an administrative fine.

(2) Assessment of administrative fines may be limited to only particular violations of the applicable licensing act.

(d) Notwithstanding any other provision of law, if a fine is paid to satisfy an assessment based on the finding of a violation, payment of the fine shall be represented as satisfactory resolution of the matter for purposes of public disclosure.

(e) Administrative fines collected pursuant to this section shall be deposited in the special fund of the particular board, bureau, or commission.

SEC. 2. Section 7590.1 of the Business and Professions Code is amended to read:

7590.1. The following terms as used in this chapter have the meaning expressed in this article:

(a) "Person" means any individual, firm, company, association, organization, partnership, limited liability company, or corporation.

(b) "Department" means the Department of Consumer Affairs.

(c) "Director" means the Director of Consumer Affairs.

(d) "Bureau" means the Bureau of Security and Investigative Services.

1 (e) “Chief” means the Chief of the Bureau of Security and
2 Investigative Services.

3 (f) “Employer” means a person who employs an individual for
4 wages or salary, lists the individual on the employer’s payroll
5 records, and withholds all legally required deductions and
6 contributions.

7 (g) “Employee” means an individual who works for an
8 employer, is listed on the employer’s payroll records, and is under
9 the employer’s direction and control.

10 (h) “Employer-employee relationship” means an individual who
11 works for another and where the individual’s name appears on the
12 payroll records of the employer.

13 (i) “Licensee” means a business entity, whether an individual,
14 partnership, limited liability company, or corporation licensed
15 under this chapter.

16 (j) “Qualified manager” means an individual who is in active
17 control, management, and direction of the licensee’s business, and
18 who is in possession of a current and valid qualified manager’s
19 certificate pursuant to this chapter.

20 (k) “Registrant” means any person registered or who has applied
21 for registration under this chapter.

22 (l) “Branch office” means any location, other than the principal
23 place of business of the licensee, which is licensed as set forth in
24 Article 11 (commencing with Section 7599.20).

25 (m) “Branch office manager” means an individual designated
26 by the qualified manager to manage the licensee’s branch office
27 and who has met the requirements as set forth in Article 11
28 (commencing with Section 7599.20).

29 (n) “Alarm system” means an assembly of equipment and
30 devices arranged to signal the presence of a hazard requiring urgent
31 attention and to which police are expected to respond.

32 (o) “Alarm agent” means a person employed by an alarm
33 company operator whose duties include selling on premises,
34 altering, installing, maintaining, moving, repairing, replacing,
35 servicing, responding, or monitoring an alarm system, or a person
36 who manages or supervises a person employed by an alarm
37 company to perform any of the duties described in this subdivision
38 or any person in training for any of the duties described in this
39 subdivision.

(p) “Deadly weapon” means and includes any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sandbag, metal knuckles; any dirk, dagger, pistol, revolver, or any other firearm; any knife having a blade longer than five inches; any razor with an unguarded blade; or any metal pipe or bar used or intended to be used as a club.

(q) “Firearms permit” means a permit issued by the bureau, pursuant to Article 6 (commencing with Section 7596), to a licensee, a qualified manager, or an alarm agent, to carry an exposed firearm while on duty.

(r) (1) “Advertisement” means:

(A) Any written or printed communication for the purpose of soliciting, describing, or promoting the licensed business of the licensee, including a brochure, letter, pamphlet, newspaper, periodical, publication, or other writing.

(B) A directory listing caused or permitted by the licensee which indicates his or her licensed activity.

(C) A radio, television, or similar airwave transmission which solicits or promotes the licensed business of the licensee.

(2) “Advertisement” does not include any of the following:

(A) Any printing or writing used on buildings, vehicles, uniforms, badges, or other property where the purpose of the printing or writing is identification.

(B) Any printing or writing on communications, memoranda, or any other writings used in the ordinary course of business where the sole purpose of the writing is other than the solicitation or promotion of business.

(C) Any printing or writing on novelty objects used in the promotion of the licensee’s business where the printing of the information required by this chapter would be impractical due to the available area or surface.

(s) “Residential sales agreement” means and includes an agreement between an alarm company operator and an owner or tenant for the purchase of an alarm system to be utilized in the personal residence of the owner or tenant.

(t) “Firearm permit” means and includes “firearms permit,” “firearms qualification card,” “firearms qualification,” and “firearms qualification permit.”

1 (u) This section shall remain in effect only until January 1, 2016,
2 and as of that date is repealed, unless a later enacted statute, that
3 is enacted before January 1, 2016, deletes or extends that date.

4 SEC. 3. Section 7590.1 is added to the Business and Professions
5 Code, to read:

6 7590.1. The following terms as used in this chapter have the
7 meaning expressed in this article:

8 (a) “Person” means any individual, firm, company, association,
9 organization, partnership, limited liability company, or
10 corporation.

11 (b) “Department” means the Department of Consumer Affairs.

12 (c) “Director” means the Director of Consumer Affairs.

13 (d) “Bureau” means the Bureau of Security and Investigative
14 Services.

15 (e) “Chief” means the Chief of the Bureau of Security and
16 Investigative Services.

17 (f) “Employer” means a person who employs an individual for
18 wages or salary, lists the individual on the employer’s payroll
19 records, and withholds all legally required deductions and
20 contributions.

21 (g) “Employee” means an individual who works for an
22 employer, is listed on the employer’s payroll records, and is under
23 the employer’s direction and control.

24 (h) “Employer-employee relationship” means an individual
25 who works for another and where the individual’s name appears
26 on the payroll records of the employer.

27 (i) “Licensee” means a business entity, whether an individual,
28 partnership, or corporation licensed under this chapter.

29 (j) “Qualified manager” means an individual who is in active
30 control, management, and direction of the licensee’s business, and
31 who is in possession of a current and valid qualified manager’s
32 certificate pursuant to this chapter.

33 (k) “Registrant” means any person registered or who has
34 applied for registration under this chapter.

35 (l) “Branch office” means any location, other than the principal
36 place of business of the licensee, which is licensed as set forth in
37 Article 11 (commencing with Section 7599.20).

38 (m) “Branch office manager” means an individual designated
39 by the qualified manager to manage the licensee’s branch office

1 *and who has met the requirements as set forth in Article 11*
2 *(commencing with Section 7599.20).*

3 (n) *“Alarm system” means an assembly of equipment and*
4 *devices arranged to signal the presence of a hazard requiring*
5 *urgent attention and to which police are expected to respond.*

6 (o) *“Alarm agent” means a person employed by an alarm*
7 *company operator whose duties include selling on premises,*
8 *altering, installing, maintaining, moving, repairing, replacing,*
9 *servicing, responding, or monitoring an alarm system, or a person*
10 *who manages or supervises a person employed by an alarm*
11 *company to perform any of the duties described in this subdivision*
12 *or any person in training for any of the duties described in this*
13 *subdivision.*

14 (p) *“Deadly weapon” means and includes any instrument or*
15 *weapon of the kind commonly known as a blackjack, slungshot,*
16 *billy, sandclub, sandbag, metal knuckles; any dirk, dagger, pistol,*
17 *revolver, or any other firearm; any knife having a blade longer*
18 *than five inches; any razor with an unguarded blade; or any metal*
19 *pipe or bar used or intended to be used as a club.*

20 (q) *“Firearms permit” means a permit issued by the bureau,*
21 *pursuant to Article 6 (commencing with Section 7596), to a*
22 *licensee, a qualified manager, or an alarm agent, to carry an*
23 *exposed firearm while on duty.*

24 (r) (1) *“Advertisement” means:*

25 (A) *Any written or printed communication for the purpose of*
26 *soliciting, describing, or promoting the licensed business of the*
27 *licensee, including a brochure, letter, pamphlet, newspaper,*
28 *periodical, publication, or other writing.*

29 (B) *A directory listing caused or permitted by the licensee which*
30 *indicates his or her licensed activity.*

31 (C) *A radio, television, or similar airwave transmission which*
32 *solicits or promotes the licensed business of the licensee.*

33 (2) *“Advertisement” does not include any of the following:*

34 (A) *Any printing or writing used on buildings, vehicles, uniforms,*
35 *badges, or other property where the purpose of the printing or*
36 *writing is identification.*

37 (B) *Any printing or writing on communications, memoranda,*
38 *or any other writings used in the ordinary course of business where*
39 *the sole purpose of the writing is other than the solicitation or*
40 *promotion of business.*

1 (C) Any printing or writing on novelty objects used in the
2 promotion of the licensee's business where the printing of the
3 information required by this chapter would be impractical due to
4 the available area or surface.

5 (s) "Residential sales agreement" means and includes an
6 agreement between an alarm company operator and an owner or
7 tenant for the purchase of an alarm system to be utilized in the
8 personal residence of the owner or tenant.

9 (t) "Firearm permit" means and includes "firearms permit,"
10 "firearms qualification card," "firearms qualification," and
11 "firearms qualification permit."

12 (u) This section shall become operative on January 1, 2016.

13 ~~SEC. 3.~~

14 SEC. 4. Section 7591.10 of the Business and Professions Code
15 is amended to read:

16 7591.10. (a) The director may deny a license, certificate, or
17 registration regulated by this chapter on the grounds that the
18 applicant has done any of the following:

19 (1) Knowingly made a false statement of fact required to be
20 revealed in the application for a license.

21 (2) Been convicted of a crime. A conviction within the meaning
22 of this section means a plea or verdict of guilty or a conviction
23 following a plea of nolo contendere. Any action which the bureau
24 is permitted to take following the establishment of a conviction
25 may be taken when the time for appeal has elapsed, or the judgment
26 of conviction has been affirmed on appeal, or when an order
27 granting probation is made suspending the imposition of sentence,
28 irrespective of a subsequent order under the provisions of Section
29 1203.4 of the Penal Code.

30 (3) Done any act involving dishonesty, fraud, or deceit with the
31 intent to substantially benefit himself, herself, or another, or to
32 substantially injure another.

33 (4) Done any act which if done by a licensee would be grounds
34 for suspension or revocation of a license.

35 (5) Done any act without a license for which a license is required
36 under this chapter.

37 (6) Been refused a license under this chapter or had a license
38 revoked.

1 (7) Been an officer, partner, managing member, or manager of
2 any person who has been refused a license under this chapter or
3 whose license has been suspended or revoked.

4 The bureau may deny a license, certificate, or registration
5 pursuant to this section only if the crime or act is substantially
6 related to the qualifications, functions, or duties of the license,
7 certificate, or registration for which application has been made.

8 The denial of a license, certificate, or registration shall be in
9 writing and shall describe the basis for the denial. The denial shall
10 inform the applicant that if he or she desires a review by the
11 disciplinary review committee the review shall be requested within
12 30 days of the issuance of the denial. A review shall be held
13 pursuant to the provisions of Section 7591.19.

14 (b) Notwithstanding any other provision of this chapter, no
15 person shall be denied a license, certificate, or registration solely
16 on the basis that he or she has been convicted of a felony, if he or
17 she has obtained a certificate of rehabilitation pursuant to Chapter
18 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the
19 Penal Code, or solely on the basis that he or she has been convicted
20 of a misdemeanor, if he or she has met all applicable requirements
21 of the criteria of rehabilitation as provided in Section 7591.12.

22 (c) *This section shall remain in effect only until January 1, 2016,*
23 *and as of that date is repealed, unless a later enacted statute, that*
24 *is enacted before January 1, 2016, deletes or extends that date.*

25 SEC. 5. Section 7591.10 is added to the Business and
26 Professions Code, to read:

27 7591.10. (a) *The director may deny a license, certificate, or*
28 *registration regulated by this chapter on the grounds that the*
29 *applicant has done any of the following:*

30 (1) *Knowingly made a false statement of fact required to be*
31 *revealed in the application for a license.*

32 (2) *Been convicted of a crime. A conviction within the meaning*
33 *of this section means a plea or verdict of guilty or a conviction*
34 *following a plea of nolo contendere. Any action which the bureau*
35 *is permitted to take following the establishment of a conviction*
36 *may be taken when the time for appeal has elapsed, or the judgment*
37 *of conviction has been affirmed on appeal, or when an order*
38 *granting probation is made suspending the imposition of sentence,*
39 *irrespective of a subsequent order under the provisions of Section*
40 *1203.4 of the Penal Code.*

1 (3) *Done any act involving dishonesty, fraud, or deceit with the*
2 *intent to substantially benefit himself, herself, or another, or to*
3 *substantially injure another.*

4 (4) *Done any act which if done by a licensee would be grounds*
5 *for suspension or revocation of a license.*

6 (5) *Done any act without a license for which a license is*
7 *required under this chapter.*

8 (6) *Been refused a license under this chapter or had a license*
9 *revoked.*

10 (7) *Been an officer, partner, or manager of any person who has*
11 *been refused a license under this chapter or whose license has*
12 *been suspended or revoked.*

13 *The bureau may deny a license, certificate, or registration*
14 *pursuant to this section only if the crime or act is substantially*
15 *related to the qualifications, functions, or duties of the license,*
16 *certificate, or registration for which application has been made.*

17 *The denial of a license, certificate, or registration shall be in*
18 *writing and shall describe the basis for the denial. The denial shall*
19 *inform the applicant that if he or she desires a review by the*
20 *disciplinary review committee the review shall be requested within*
21 *30 days of the issuance of the denial. A review shall be held*
22 *pursuant to the provisions of Section 7591.19.*

23 *(b) Notwithstanding any other provision of this chapter, no*
24 *person shall be denied a license, certificate, or registration solely*
25 *on the basis that he or she has been convicted of a felony, if he or*
26 *she has obtained a certificate of rehabilitation pursuant to Chapter*
27 *3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the*
28 *Penal Code, or solely on the basis that he or she has been convicted*
29 *of a misdemeanor, if he or she has met all applicable requirements*
30 *of the criteria of rehabilitation as provided in Section 7591.12.*

31 *(c) This section shall become operative on January 1, 2016.*

32 ~~SEC. 4.~~

33 SEC. 6. Section 7591.13 is added to the Business and
34 Professions Code, to read:

35 7591.13. (a) The chief or his or her designee may issue a
36 citation, in accordance with Section 148, against a person who is
37 not otherwise exempt under this chapter and is acting or offering
38 to act in the capacity of a licensee, registrant, permitholder, or
39 certificate holder under this chapter without a valid license,
40 registration, permit, or certificate, as applicable, under this chapter.

(b) The chief or his or her designee may issue a citation against a person who places, or causes to be placed, an advertisement in any written, printed, or verbal communication for the purposes of soliciting business as an alarm company operator without a license under or an exemption from this chapter.

(c) A citation issued under this section may contain an assessment of an administrative fine up to five thousand dollars (\$5,000) or, where appropriate, an order of abatement fixing a reasonable period of time not to exceed 30 days for abatement, or both that fine and order of abatement.

(d) A citation issued under this section shall meet the following requirements:

(1) Be in writing and describe with particularity the nature of the violation, including specific reference to the provision of this chapter or the regulation adopted thereunder determined to have been violated.

(2) Inform the cited person that if he or she desires a hearing to contest the finding of a violation, that hearing shall be requested by written notice to the bureau within 30 days of the issuance of the citation.

(3) Inform the cited person that if he or she desires an informal conference with the chief or his or her designee to contest the finding of a violation, that informal conference shall be requested by written notice to the bureau within 10 days of the issuance of the citation.

(4) Be served upon the cited person in person or by certified mail.

(e) The chief or his or her designee shall consider the following factors when determining the amount of an administrative fine under this section:

(1) The good or bad faith exhibited by the cited person.

(2) The nature and severity of the violation.

(3) Evidence that the violation was willful.

(4) History of violations of the same or similar nature.

(5) The extent to which the cited person has cooperated with the bureau.

(6) The extent to which the cited person has mitigated or attempted to mitigate any damage or injury caused by his or her violation.

(7) Any other factors as justice may require.

1 (f) The time allowed for abatement of a citation issued under
2 this section shall begin the first day after the order of abatement
3 has been served. If a cited person who has been issued an order of
4 abatement is unable to complete the correction within the
5 timeframe set forth in the citation because of conditions beyond
6 his or her control after the exercise of reasonable diligence, the
7 person cited may request any extension of time in which to
8 complete the correction from the chief or his or her designee. The
9 request for an extension shall be in writing and shall be made
10 within the timeframe set forth for abatement.

11 (g) If a person cited pursuant to this section desires a hearing
12 to contest the citation, the cited person shall, within 30 days after
13 service of the citation, file in writing a request for an administrative
14 hearing to the chief or his or her designee regarding the acts
15 charged in the citation, in accordance with paragraph (4) of
16 subdivision (b) of Section 125.9.

17 (h) (1) In addition to, or instead of, requesting an administrative
18 hearing, as provided for in subdivision (d), a person cited pursuant
19 to this section may, within 10 days after service of the citation,
20 contest the citation by submitting a written request for an informal
21 citation conference to the chief or his or her designee.

22 (2) Upon receipt of a written request for an informal citation
23 conference pursuant to paragraph (1), the chief or his or her
24 designee shall, within 30 days, hold an informal citation conference
25 with the cited person. If an informal citation conference is held,
26 the chief or his or her designee may affirm, modify, or dismiss the
27 citation, including any fine levied or order of abatement issued, at
28 the conclusion of the informal citation conference. If affirmed or
29 modified, the citation originally issued shall be considered
30 withdrawn and an affirmed or modified citation shall be mailed to
31 the cited person and his or her legal counsel, if any, within 15 days
32 of the date of the informal citation conference.

33 (3) If a cited person wishes to contest a citation that is affirmed
34 or modified pursuant to paragraph (2), the person shall, within 30
35 days of receiving the affirmed or modified citation, file in writing
36 a request for an administrative hearing to the chief or his or her
37 designee regarding the acts charged in the affirmed or modified
38 citation, in accordance with paragraph (4) of subdivision (b) of
39 Section 125.9.

(4) A cited person shall not request a subsequent informal conference with respect to a citation that is modified or affirmed during an informal conference under this subdivision.

(i) When an order of abatement is not contested or if the order is appealed and the person or entity cited does not prevail, failure to abate the violation charged within the timeframe specified in the citation or within 30 days after the appeal, whichever is later, shall constitute a violation and failure to comply with the order of abatement.

(j) This section shall not apply to a violation of this chapter that is subject to Section 7591.9.

(k) The sanctions authorized under this section shall be separate from, and in addition to, all other remedies either civil or criminal.

(l) Administrative fines collected pursuant to this section shall be deposited in the Private Security Services Fund.

~~SEC. 5.~~

SEC. 7. Section 7591.19 of the Business and Professions Code is amended to read:

7591.19. (a) (1) An alarm company operator, qualified manager, or alarm agent may request a review by the Alarm Company Operator Disciplinary Review Committee to contest the assessment of an administrative fine, unless the fine is assessed pursuant to Section 7591.13, or to appeal a denial, revocation, or suspension, unless the denial or suspension is ordered by the director in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code or in accordance with Section 7591.8 of this code.

(2) A request for a review shall be by written notice to the bureau within 30 days of the issuance of the citation and assessment, denial, or suspension.

(3) Following a review by the disciplinary review committee, the appellant shall be notified within 30 days, in writing, by regular mail, of the committee's decision.

(4) If the appellant disagrees with the decision made by the Alarm Company Operator Disciplinary Review Committee, he or she may request a hearing as outlined in subdivision (b). A request for a hearing following a decision by the disciplinary review committee shall be by written notice to the bureau within 30 days of the committee's decision.

1 (5) If the appellant does not request a hearing within 30 days,
2 the review committee's decision shall become final.

3 (b) (1) An alarm company operator, qualified manager, or alarm
4 agent may request a hearing in accordance with Chapter 5
5 (commencing with Section 11500) of Part 1 of Division 3 of Title
6 2 of the Government Code if he or she contests an assessment of
7 an administrative fine, or to appeal a denial, suspension, or
8 revocation. A hearing may also be requested if the appellant
9 disagrees with the decision made by the Alarm Company Operator
10 Disciplinary Review Committee.

11 (2) A request for a hearing shall be by written notice to the
12 bureau within 30 days of the issuance of the decision by the review
13 committee. A hearing pursuant to this subdivision shall be available
14 only after a review by the disciplinary review committee.

15 ~~SEC. 6.~~

16 *SEC. 8.* Section 7593.1 of the Business and Professions Code
17 is amended to read:

18 7593.1. (a) Each individual applicant and each qualified
19 manager, partner of a partnership, designated officer of a
20 corporation, and designated officer and managing member of a
21 limited liability company shall submit with the application one
22 personal identification form provided by the chief, upon which
23 shall appear a photograph taken within one year immediately
24 preceding the date of the filing of the application together with
25 two legible sets of fingerprints, one set of which shall be forwarded
26 to the Federal Bureau of Investigation for purposes of a background
27 check, and personal description of each such person, respectively.
28 The identification form shall include residence addresses and
29 employment history for the previous five years.

30 (b) The bureau may impose a fee not to exceed three dollars
31 (\$3) for processing classifiable fingerprint cards submitted by
32 applicants excluding those submitted into an electronic fingerprint
33 system using electronic fingerprint technology.

34 (c) *This section shall remain in effect only until January 1, 2016,*
35 *and as of that date is repealed, unless a later enacted statute, that*
36 *is enacted before January 1, 2016, deletes or extends that date.*

37 *SEC. 9.* Section 7593.1 is added to the Business and Professions
38 Code, to read:

39 7593.1. (a) *Each individual applicant and each qualified*
40 *manager, partner of a partnership, and designated officers of a*

1 corporation shall submit with the application, one personal
2 identification form provided by the chief upon which shall appear
3 a photograph taken within one year immediately preceding the
4 date of the filing of the application together with two legible sets
5 of fingerprints, one set of which shall be forwarded to the Federal
6 Bureau of Investigation for purposes of a background check, and
7 personal description of each such person, respectively. The
8 identification form shall include residence addresses and
9 employment history for the previous five years.

10 (b) The bureau may impose a fee not to exceed three dollars
11 (\$3) for processing classifiable fingerprint cards submitted by
12 applicants excluding those submitted into an electronic fingerprint
13 system using electronic fingerprint technology.

14 (c) This section shall become operative on January 1, 2016.

15 ~~SEC. 7.~~

16 ~~SEC. 10.~~ Section 7593.5 is added to the Business and
17 Professions Code, to read:

18 7593.5. If the applicant for a license is a limited liability
19 company, the application shall state the true names and complete
20 residence addresses of the managing members and any other
21 officers and members who will be active in the business to be
22 licensed. A copy of the articles of organization issued by the
23 Secretary of State shall be supplied to the bureau upon request.
24 The application shall also state the name and address of the
25 designated person to be actively in charge of the business for which
26 the license is sought. The application shall be subscribed, verified,
27 and signed by a duly authorized member of the applicant under
28 penalty of perjury.

29 ~~SEC. 8.~~ ~~Section 7593.15 is added to the Business and~~
30 ~~Professions Code, to read:~~

31 ~~7593.15. (a) Except as provided in this section, an alarm~~
32 ~~company operator license issued under this chapter is not~~
33 ~~assignable.~~

34 ~~(b) An alarm company operator may apply to the chief for~~
35 ~~consent and, upon receipt of the consent and payment of the~~
36 ~~processing fee authorized by Section 7599.70, may assign a license~~
37 ~~to another business entity as long as the direct and indirect owners~~
38 ~~of the assignor own all of the assignee immediately after the~~
39 ~~assignment.~~

1 ~~SEC. 9.~~

2 ~~SEC. 11.~~ Section 7593.6 of the Business and Professions Code
3 is amended to read:

4 7593.6. (a) The director may refuse to issue a license to an
5 applicant pending final disposition of an investigation of criminal
6 activity or of a disciplinary action previously filed against the
7 person or applicant or against a qualified manager, partner,
8 managing member, or officer of the applicant.

9 ~~A~~

10 (b) A new alarm company operator license, qualified manager
11 certificate, or alarm agent registration shall be subject to payment
12 of any and all fines assessed pursuant to this section and not
13 resolved in accordance with the provisions of this section and
14 payment of all applicable fees.

15 (c) *This section shall remain in effect only until January 1, 2016,*
16 *and as of that date is repealed, unless a later enacted statute, that*
17 *is enacted before January 1, 2016, deletes or extends that date.*

18 ~~SEC. 12.~~ Section 7593.6 is added to the Business and
19 Professions Code, to read:

20 7593.6. (a) The director may refuse to issue a license to an
21 applicant pending final disposition of an investigation of criminal
22 activity or of a disciplinary action previously filed against the
23 person or applicant or against a qualified manager, partner, or
24 officer of the applicant.

25 (b) A new alarm company operator license, qualified manager
26 certificate, or alarm agent registration shall be subject to payment
27 of any and all fines assessed pursuant to this section and not
28 resolved in accordance with the provisions of this section and
29 payment of all applicable fees.

30 (c) *This section shall become operative on January 1, 2016.*

31 ~~SEC. 10.~~

32 ~~SEC. 13.~~ Section 7593.7 of the Business and Professions Code
33 is amended to read:

34 7593.7. (a) The chief shall issue a pocket identification card
35 to the owner, partners, officers, managing members, and qualified
36 manager. The chief shall determine the form and content of the
37 card. A photo identification card will be furnished to any owner,
38 partner, officer, managing member, qualified manager, or branch
39 office manager upon written request and payment of the fee
40 prescribed by this chapter.

1 (b) *This section shall remain in effect only until January 1, 2016,*
2 *and as of that date is repealed, unless a later enacted statute, that*
3 *is enacted before January 1, 2016, deletes or extends that date.*

4 SEC. 14. *Section 7593.7 is added to the Business and*
5 *Professions Code, to read:*

6 7593.7. (a) *The chief shall issue a pocket identification card*
7 *to the owner, partners, officers, and qualified manager. The chief*
8 *shall determine the form and content of the card. A photo*
9 *identification card will be furnished to any owner, partner, officer,*
10 *qualified manager, or branch office manager upon written request*
11 *and payment of the fee prescribed by this chapter.*

12 (b) *This section shall become operative on January 1, 2016.*

13 SEC. 15. *Section 7593.15 is added to the Business and*
14 *Professions Code, to read:*

15 7593.15. (a) *Except as provided in this section, an alarm*
16 *company operator license issued under this chapter is not*
17 *assignable.*

18 (b) *An alarm company operator may apply to the chief for*
19 *consent and, upon receipt of the consent and payment of the*
20 *processing fee authorized by Section 7599.70, may assign a license*
21 *to another business entity as long as the direct and indirect owners*
22 *of the assignor own all of the assignee immediately after the*
23 *assignment.*

24 ~~SEC. 11.~~

25 SEC. 16. *Section 7594.4 of the Business and Professions Code*
26 *is amended to read:*

27 7594.4. (a) *Except as herein otherwise provided, no individual*
28 *shall be in active charge of the business if the individual has ever*
29 *had a license revoked for cause or has ever been disqualified from*
30 *further employment in the alarm company operator business*
31 *pursuant to this chapter, or was a qualified manager, partner,*
32 *managing member, or officer of a business whose license has been*
33 *revoked.*

34 (b) *This section shall remain in effect only until January 1, 2016,*
35 *and as of that date is repealed, unless a later enacted statute, that*
36 *is enacted before January 1, 2016, deletes or extends that date.*

37 SEC. 17. *Section 7594.4 is added to the Business and*
38 *Professions Code, to read:*

39 7594.4. (a) *Except as herein otherwise provided, no individual*
40 *shall be in active charge of the business if the individual has ever*

1 *had a license revoked for cause or has ever been disqualified from*
2 *further employment in the alarm company operator business*
3 *pursuant to this chapter, or was a qualified manager, partner, or*
4 *officer of a business whose license has been revoked.*

5 *(b) This section shall become operative on January 1, 2016.*

6 ~~SEC. 12.~~

7 *SEC. 18.* Section 7599.32 of the Business and Professions Code
8 is amended to read:

9 7599.32. (a) A licensee shall notify the bureau within 30 days
10 of any change of its officers or members required to be named
11 pursuant to Section 7593.4 or 7593.5 and of any addition of a new
12 partner.

13 (b) Applications, on forms prescribed by the director, shall be
14 submitted by all new officers, managing members, and partners.
15 The director may suspend or revoke a license issued under this
16 chapter if the director determines that the new officer, managing
17 member, or partner has committed any act which constitutes
18 grounds for the denial of a license pursuant to Section 7591.10.

19 (c) A notice of warning may be issued for the first violation of
20 this section and a fine of twenty-five dollars (\$25) for each
21 subsequent violation.

22 *(d) This section shall remain in effect only until January 1, 2016,*
23 *and as of that date is repealed, unless a later enacted statute, that*
24 *is enacted before January 1, 2016, deletes or extends that date.*

25 *SEC. 19.* Section 7599.32 is added to the Business and
26 Professions Code, to read:

27 7599.32. (a) A licensee shall notify the bureau within 30 days
28 of any change of its officers required to be named pursuant to
29 Section 7593.4 and of any addition of a new partner.

30 (b) Applications, on forms prescribed by the director, shall be
31 submitted by all new officers and partners. The director may
32 suspend or revoke a license issued under this chapter if the director
33 determines that the new officer or partner has committed any act
34 which constitutes grounds for the denial of a license pursuant to
35 Section 7591.10.

36 (c) A Notice of Warning may be issued for the first violation of
37 this section and a fine of twenty-five dollars (\$25) for each
38 subsequent violation.

39 *(d) This section shall become operative on January 1, 2016.*

1 ~~SEC. 13.~~

2 ~~SEC. 20.~~ Section 7599.34 of the Business and Professions Code
3 is amended to read:

4 7599.34. (a) No licensee shall conduct a business as an
5 individual, partnership, limited liability company, or corporation
6 unless the licensee holds a valid license issued to that exact same
7 individual, partnership, limited liability company, or corporation.
8 A violation of this section may result in a fine of one hundred
9 dollars (\$100) for each violation.

10 (b) *As a condition of the issuance, reinstatement, reactivation,*
11 *or continued valid use of a license under this chapter, a limited*
12 *liability company shall, in accordance with the provisions of this*
13 *section, maintain a policy or policies of insurance against liability*
14 *imposed on or against it by law for damages arising out of claims*
15 *based upon acts, errors, or omissions arising out of the alarm*
16 *company services it provides.*

17 (c) *The total aggregate limit of liability under the policy or*
18 *policies of insurance required under this section shall be as*
19 *follows:*

20 (1) *For a limited liability company licensee with five or fewer*
21 *persons listed on the members of the personnel of record, the*
22 *aggregate limit shall not be less than one million dollars*
23 *(\$1,000,000).*

24 (2) *For a limited liability company licensee with more than five*
25 *persons listed on the members of the personnel of record, an*
26 *additional one hundred thousand dollars (\$100,000) of insurance*
27 *shall be obtained for each person listed on the personnel of record*
28 *of the licensee except that the maximum amount of insurance is*
29 *not required to exceed five million dollars (\$5,000,000) in any one*
30 *designated period, less amounts paid in defending, settling, or*
31 *discharging claims as set forth under this section.*

32 (d) *Prior to the issuance, reinstatement, or reactivation of a*
33 *limited liability company license as provided under this chapter,*
34 *the applicant or licensee shall, in the manner prescribed by the*
35 *bureau, submit the information and documentation required by*
36 *this section and requested by the bureau, demonstrating*
37 *compliance with the financial security requirements specified by*
38 *this section.*

39 (e) *For any insurance policy secured by a licensee in satisfaction*
40 *of this section, a Certificate of Liability Insurance, signed by an*

1 *authorized agent or employee of the insurer, shall be submitted*
2 *electronically or otherwise to the bureau. The insurer issuing the*
3 *certificate shall report to the bureau the following information for*
4 *any policy required under this section: name, license number,*
5 *policy number, dates that coverage is scheduled to commence and*
6 *lapse, the date and amount of any payment of claims, and*
7 *cancellation date if applicable.*

8 *(f) If a licensee fails to maintain sufficient insurance as required*
9 *by this section, the license is subject to suspension.*

10 *(g) Where the license of a limited liability company is suspended*
11 *pursuant to subdivision (f), each member of the limited liability*
12 *company shall be personally liable up to one million dollars*
13 *(\$1,000,000) each for damages resulting to third parties in*
14 *connection with the company's performance, during the period of*
15 *suspension, of any act or contract where a license is required by*
16 *this chapter.*

17 *(h) This section shall remain in effect only until January 1, 2016,*
18 *and as of that date is repealed, unless a later enacted statute, that*
19 *is enacted before January 1, 2016, deletes or extends that date.*

20 *SEC. 21. Section 7599.34 is added to the Business and*
21 *Professions Code, to read:*

22 *7599.34. (a) No licensee shall conduct a business as an*
23 *individual, partnership, or corporation unless the licensee holds*
24 *a valid license issued to that exact same individual, partnership,*
25 *or corporation. A violation of this section may result in a fine of*
26 *one hundred dollars (\$100) for each violation.*

27 *(b) This section shall become operative on January 1, 2016.*

28 ~~SEC. 14.~~

29 *SEC. 22. Section 7599.42 of the Business and Professions Code*
30 *is amended to read:*

31 *7599.42. (a) Within seven days after any violent incident*
32 *involving a dangerous weapon that has been caused by or occurred*
33 *upon a licensee or any officer, partner, managing member, qualified*
34 *manager, or employee of a licensee, while acting within the course*
35 *and scope of his or her employment, and that results in bodily*
36 *injury to any person or death of any person involved in that incident*
37 *or of any discharge of a weapon, excluding any discharge which*
38 *occurs on the range, the licensee or his or her manager shall mail*
39 *or deliver to the chief a detailed report of the incident. The report*
40 *shall describe fully the circumstances surrounding the incident,*

1 any injuries or damages incurred, the identity of all participants,
2 and whether a police investigation was conducted. A violation of
3 this section may result in a fine of twenty-five dollars (\$25) for
4 the first violation and one hundred dollars (\$100) for each
5 subsequent violation.

6 *(b) This section shall remain in effect only until January 1, 2016,*
7 *and as of that date is repealed, unless a later enacted statute, that*
8 *is enacted before January 1, 2016, deletes or extends that date.*

9 SEC. 23. Section 7599.42 is added to the Business and
10 Professions Code, to read:

11 7599.42. (a) Within seven days after any violent incident
12 involving a dangerous weapon, that has been caused by or
13 occurred upon a licensee or any officer, partner, qualified
14 manager, or employee of a licensee, while acting within the course
15 and scope of his or her employment, and that results in bodily
16 injury to any person or death of any person involved in that
17 incident or of any discharge of a weapon, excluding any discharge
18 which occurs on the range, the licensee or his or her manager
19 shall mail or deliver to the chief a detailed report of the incident.
20 The report shall describe fully the circumstances surrounding the
21 incident, any injuries or damages incurred, the identity of all
22 participants, and whether a police investigation was conducted.
23 A violation of this section may result in a fine of twenty-five dollars
24 (\$25) for the first violation and one hundred dollars (\$100) for
25 each subsequent violation.

26 *(b) This section shall become operative on January 1, 2016.*

27 ~~SEC. 15.~~

28 SEC. 24. Section 7599.43 of the Business and Professions Code
29 is amended to read:

30 7599.43. (a) Within seven days after receiving a final civil
31 court judgment filed against the licensee or any officer, partner,
32 managing member, qualified manager, or employee of a licensee
33 for an amount of more than five hundred dollars (\$500) pertaining
34 to any act done within the course and scope of his or her
35 employment that may be in violation of this chapter, the licensee
36 or his or her manager shall mail or deliver to the chief a copy of
37 the judgment. A violation of this section may result in a fine of
38 twenty-five dollars (\$25) for the first violation and one hundred
39 dollars (\$100) for each subsequent violation.

1 **(b)** *This section shall remain in effect only until January 1, 2016,*
2 *and as of that date is repealed, unless a later enacted statute, that*
3 *is enacted before January 1, 2016, deletes or extends that date.*

4 **SEC. 25.** *Section 7599.43 is added to the Business and*
5 *Professions Code, to read:*

6 7599.43. **(a)** *Within seven days after receiving a final civil*
7 *court judgment filed against the licensee or any officer, partner,*
8 *qualified manager, or employee of a licensee for an amount of*
9 *more than five hundred dollars (\$500) pertaining to any act done*
10 *within the course and scope of his or her employment that may be*
11 *in violation of this chapter, the licensee or his or her manager*
12 *shall mail or deliver to the chief a copy of the judgment. A violation*
13 *of this section may result in a fine of twenty-five dollars (\$25) for*
14 *the first violation and one hundred dollars (\$100) for each*
15 *subsequent violation.*

16 **(b)** *This section shall become operative on January 1, 2016.*

17 ~~SEC. 16.~~

18 **SEC. 26.** *Section 7599.48 of the Business and Professions Code*
19 *is amended to read:*

20 7599.48. **(a)** *No licensee, or officer, partner, managing*
21 *member, manager, or employee of a licensee, shall knowingly*
22 *make any false report to his or her employer or client for whom*
23 *information is being obtained. A violation of this section may*
24 *result in a fine of one hundred dollars (\$100) for the first violation,*
25 *and five hundred dollars (\$500) for each subsequent violation.*

26 **(b)** *This section shall remain in effect only until January 1, 2016,*
27 *and as of that date is repealed, unless a later enacted statute, that*
28 *is enacted before January 1, 2016, deletes or extends that date.*

29 **SEC. 27.** *Section 7599.48 is added to the Business and*
30 *Professions Code, to read:*

31 7599.48. **(a)** *No licensee, or officer, partner, manager, or*
32 *employee of a licensee, shall knowingly make any false report to*
33 *his or her employer or client for whom information is being*
34 *obtained. A violation of this section may result in a fine of one*
35 *hundred dollars (\$100) for the first violation, and five hundred*
36 *dollars (\$500) for each subsequent violation.*

37 **(b)** *This section shall become operative on January 1, 2016.*

38 ~~SEC. 17.~~

39 **SEC. 28.** *Section 7599.61 of the Business and Professions Code*
40 *is amended to read:*

7599.61. (a) The director may suspend or revoke an alarm company operator license, a qualified manager certificate, an alarm agent registration, or a firearms permit, issued under this chapter, if the director determines that the licensee or his or her manager, if an individual, or if the licensee is a person other than an individual, or his or her employees, that any of its officers, partners, managing members, employees, or its manager, has:

(a)

(1) Made any false statement or given any false information in connection with an application for a license or a renewal or reinstatement of a license.

(b)

(2) Violated any provisions or committed any prohibited acts of this chapter.

(c)

(3) Been convicted of any felony or misdemeanor including illegally using, carrying, or possessing a dangerous weapon.

(d)

(4) Committed or permitted any employee to commit any act, while the license was expired, which would be cause for the suspension or revocation of a license, or grounds for the denial of an application for a license.

(e)

(5) Committed assault, battery, or kidnapping, or used force or violence on any person, without proper justification.

(f)

(6) Violated, or advised, encouraged, or assisted the violation of any court order or injunction in the course of business as a licensee.

(g)

(7) Been convicted of a violation of Section 148 of the Penal Code.

(h)

(8) Committed any act which is a ground for denial of an application for license under this chapter.

(i)

(9) Committed any act prohibited by Chapter 1.5 (commencing with Section 630) of Title 15 of Part 1 of the Penal Code.

(j)

1 (10) Committed any act in the course of the licensee's business
2 constituting dishonesty or fraud.

3 (b) *This section shall remain in effect only until January 1, 2016,*
4 *and as of that date is repealed, unless a later enacted statute, that*
5 *is enacted before January 1, 2016, deletes or extends that date.*

6 SEC. 29. Section 7599.61 is added to the Business and
7 Professions Code, to read:

8 7599.61. (a) *The director may suspend or revoke an alarm*
9 *company operator license, a qualified manager certificate, an*
10 *alarm agent registration, or a firearms permit, issued under this*
11 *chapter, if the director determines that the licensee or his or her*
12 *manager, if an individual, or if the licensee is a person other than*
13 *an individual, or his or her employees, that any of its officers,*
14 *partners, employees, or its manager, has:*

15 (1) *Made any false statement or given any false information in*
16 *connection with an application for a license or a renewal or*
17 *reinstatement of a license.*

18 (2) *Violated any provisions or committed any prohibited acts*
19 *of this chapter.*

20 (3) *Been convicted of any felony or misdemeanor including*
21 *illegally using, carrying, or possessing a dangerous weapon.*

22 (4) *Committed or permitted any employee to commit any act,*
23 *while the license was expired, which would be cause for the*
24 *suspension or revocation of a license, or grounds for the denial*
25 *of an application for a license.*

26 (5) *Committed assault, battery, or kidnapping, or used force or*
27 *violence on any person, without proper justification.*

28 (6) *Violated, or advised, encouraged, or assisted the violation*
29 *of any court order or injunction in the course of business as a*
30 *licensee.*

31 (7) *Been convicted of a violation of Section 148 of the Penal*
32 *Code.*

33 (8) *Committed any act which is a ground for denial of an*
34 *application for license under this chapter.*

35 (9) *Committed any act prohibited by Chapter 1.5 (commencing*
36 *with Section 630) of Title 15 of Part 1 of the Penal Code.*

37 (10) *Committed any act in the course of the licensee's business*
38 *constituting dishonesty or fraud.*

39 (b) *This section shall become operative on January 1, 2016.*

1 ~~SEC. 18.~~

2 ~~SEC. 30.~~ Section 7599.70 of the Business and Professions Code
3 is amended to read:

4 7599.70. Effective July 1, 1998, the bureau shall establish and
5 assess fees and penalties for licensure and registration as follows:

6 (a) A company license application fee may not exceed thirty-five
7 dollars (\$35).

8 (b) An original license fee for an alarm company operator license
9 may not exceed two hundred eighty dollars (\$280). A renewal fee
10 for an alarm company operator license may not exceed three
11 hundred thirty-five dollars (\$335).

12 (c) A qualified manager application and examination fee may
13 not exceed one hundred five dollars (\$105).

14 (d) A renewal fee for a qualified manager may not exceed one
15 hundred twenty dollars (\$120).

16 (e) An original license fee and renewal fee for a branch office
17 certificate may not exceed thirty-five dollars (\$35).

18 (f) Notwithstanding Section 163.5, the reinstatement fee as
19 required by Sections 7593.12 and 7598.17 is the amount equal to
20 the renewal fee plus a penalty of 50 percent thereof.

21 (g) A fee for reexamination of an applicant for a qualified
22 manager may not exceed two hundred forty dollars (\$240).

23 (h) An initial registration fee for an alarm agent may not exceed
24 seventeen dollars (\$17).

25 (i) A registration renewal fee for an alarm agent may not exceed
26 seven dollars (\$7).

27 (j) A firearms qualification fee may not exceed eighty dollars
28 (\$80) and a firearms requalification fee may not exceed sixty
29 dollars (\$60).

30 (k) The fingerprint processing fee is that amount charged the
31 bureau by the Department of Justice.

32 (l) The processing fee required pursuant to Sections 7593.7 and
33 7598.14 is the amount equal to the expenses incurred to provide
34 a photo identification card.

35 (m) The fee for a "Certificate of Licensure" may not exceed
36 fifty dollars (\$50).

37 (n) The delinquency fee is 50 percent of the renewal fee in effect
38 on the date of expiration, but not less than twenty-five dollars
39 (\$25).

1 (o) The processing fee for the assignment of an alarm company
2 operator license pursuant to Section 7593.15 may not exceed one
3 hundred twenty-five dollars (\$125).

4 ~~SEC. 19.~~

5 *SEC. 31.* No reimbursement is required by this act pursuant to
6 Section 6 of Article XIII B of the California Constitution because
7 the only costs that may be incurred by a local agency or school
8 district will be incurred because this act creates a new crime or
9 infraction, eliminates a crime or infraction, or changes the penalty
10 for a crime or infraction, within the meaning of Section 17556 of
11 the Government Code, or changes the definition of a crime within
12 the meaning of Section 6 of Article XIII B of the California
13 Constitution.